

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE
RAMONA ROBLES LUGO

CASE NO. 21-01353 (MCF)
CHAPTER 13

DEBTOR'S MOTION IN COMPLIANCE WITH OPINION AND ORDER

TO THE HONORABLE COURT:

Comes now the Debtor, through the undersigned attorney, who respectfully states, alleges and prays as follows:

1. On June 8, 2022, this Court entered an Opinion and Order (Docket 56). In the same the Court ordered the Debtor to comply with the following

“If the Debtor chooses not to pay the subsidy recapture, then the lien over the property will survive the bankruptcy. If the Debtor chooses to pay in full through the plan, including a discounted subsidy recapture amount, then the USDA will be required to provide the mortgage notes for cancellation upon completion of the chapter 13 plan.... Therefore, the Debtor is hereby ordered to inform within 30 days whether the subsidy recapture will be paid during the life of the plan.”

2. In compliance with the Court’s Order, the Debtor has filed today an amended Chapter 13 Plan dated June 10, 2022. The plan provides for the payment in full of the USDA’s allowed secured claim. As to subsidy recapture amount, the plan provides that the USDA shall retain the mortgage notes until the amounts owed under the subsidy recapture agreement and that such amounts shall become due and payable only upon non occupancy, sale or transfer of title of the property.

3. The Debtor respectfully submits that the proposed amended plan complies with the ruling entered by this Court regarding the treatment of USDA’s claim.

4. In addition, the Debtor informs that the amended plan also addresses the matters raised on trustee’s unfavorable report filed at docket entry no. 59 as it provides for 100% of the only unsecured claim filed in this case which is claim no. 2 by creditor T-Mobile in the amount

of \$263.91. The amended plan directs the trustee to pay this claim ahead of the disbursements to the USDA.

WHEREFORE it is respectfully requested from this Honorable Court to grant the present motion and consider the Debtor in Compliance with the Court's Opinion and Order entered at Docket entry no. 56.

NOTICE

YOU ARE HEREBY NOTIFIED THAT YOU HAVE FOURTEEN (14) DAYS FROM THE DATE OF THIS NOTICE TO FILE AN OPPOSITION TO THE FOREGOING MOTION AND TO REQUEST A HEARING. IF NO OPPOSITION IS FILED WITHIN THE PRESCRIBED PERIOD OF TIME, THE MOTION WILL BE DEEMED UNOPPOSED AND MAY BE GRANTED WITHOUT FURTHER HEARING UNLESS (1) THE REQUESTED RELIEF IS FORBIDDEN BY LAW; (2) THE REQUESTED RELIEF IS AGAINST PUBLIC POLICY; OR (3) IN THE OPINION OF THE COURT, THE INEREST OF JUSTICE REQUIRES OTHERWISE. IF A TIMELY OPPOSITION IS FILED, THE COURT WILL SCHEDULE A HEARING AS A CONTESTED MATTER.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day I electronically filed this document with the Clerk of the Court using the CM/ECF system which will automatically send notification of such filing to all CM/ECF participants.

In San Juan, Puerto Rico, this 10th day of June of 2022.

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